

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

IN RE:

HYACINTH SIMMS

Debtor,

HYACINTH SIMMS,

Plaintiff,

Case No. 23-40070-NHL

Adv. Pro. No. 23-01070-NHL

**ORDER DISMISSING  
PLAINTIFF'S  
COMPLAINT AS  
AGAINST DEFENDANT  
CJ RUBINO &  
COMPANY, INC., WITH  
PREJUDICE**

-against-

JP MORGAN CHASE BANK, TOWER GROUP, INC.  
MORANT INSURANCE AGENCY INC., AFFILIATED  
ADJUSTMENT GROUP LTD., ASSURANT PROPERTY  
ADVANTAGE A/K/A ASSURANT SPECIALTY  
PROPERTY'S LENDING, SOLUTIONS GROUP, C.J.  
RUBINO & COMPANY, INC., MSW ADJUSTMENT  
GROUP, INC., DG CUSTOM BUILT HOMES &  
REMODELING,

Defendants.

CHAPTER 13  
HON. NANCY H.  
LORD

**THIS MATTER** having been opened to the Court upon the Notice of Motion by  
Defendant, CJ RUBINO & COMPANY, INC. (hereinafter "CJ Rubino"), for Dismissal of the  
Complaint filed by Plaintiff, Hyacinth Simms, pursuant to Rule 12(b)(6) of the Federal Rules of  
Civil Procedure, made applicable to this Adversary Proceeding by Rule 7012 of the Federal Rules  
of Bankruptcy Procedure, and with the Court having carefully reviewed and considered all moving  
and opposing papers; and finding good cause existing for the entry hereof,

IT IS on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, **ORDERED THAT**:

1. CJ Rubino's Motion be and same is hereby granted in its entirety;
2. The Complaint including each and every cause of action therein shall be dismissed as against CJ Rubino, with prejudice.

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Hon. Nancy Hershel Lord, U.S.B.J